

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SWD – LAHS-Decretal Charges – Kurnool District – Kallur Mandal and Village – OP.NOs.312/88 and 313/88 – Release of an amount of Rs.4,24,860/- (Rupees four lakhs twenty four thousand eight hundred and sixty only) towards decretal charges for the land acquired for an extent of Ac.2.98 cents – Permission Accorded – Orders – Issued.

Social Welfare (LA) Department

G.O.Rt.No. 768

Dated:10.11.2008
Read the following:

1. From the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, Lr.Rc.No.LA4/13053/2004, dated.3/3/2006.
2. From The District Collector, Kurnool, Lr. Rc.No.A-99/20, dt.10-09-2004 and K-70/2004, dated. 4/12/2006.

#####

ORDER :

The Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, in the reference first read above has submitted proposals for release of an amount of Rs.3,94,890/- towards decretal charges for the land acquired for an extent of Ac.2.98 cents and to comply with the orders of the Principal Senior Civil Judge, Kurnool in OP.NOs.312/88 and 313/88. The facts of the case as stated by the CSW, AP, Hyderabad, in brief as follows

2. An extent of Ac.2.98 cents in Sy.No.344/AS2 of Kallur village has been acquired by the then Tahsildar, vide his Award No.12/83, dated.21/3/1984 and fixed the market value @ Rs.25,000/- per acre. Under Section 18 of LA Act, the MRO, Kallur, has referred the matter to the Lower Court. The Principal Senior Civil Judge, Kurnool, in its judgment OP.NOs.312/88 and 313/88, dated.23-3-2004 has enhanced the market value from Rs.1,10,000/- per acre basing on the similar case in OP.NO.44/96 and its batch.
3. The Government Pleader for Appeals, APHC, has opined that the compensation awarded in this case is based on the judgment of similar case in OP.NO.44/96 and batch which was dismissed in the Hon'ble High Court and Supreme Court of India and there are no grounds to prefer any appeal. Accordingly, the present proposal was submitted by the District Collector, Kurnool for release of decretal charges.
4. In the meanwhile, the District Collector, Kurnool, in his letter dated. 4/12/2006 has stated that the claimants have filed EPs claiming the 15% interest up to 28/8/2006. Accordingly, a revised calculation sheet for an amount of **Rs.4,24,860/-**.
5. The State Government after careful examination of the above proposal in light of the orders of the Hon'ble Supreme Court of India in CC.NOs.10789 to 10798, dated.6/1/2004 against the orders of the Hon'ble High Court of Andhra Pradesh in AS.NOs.3287/2000 to 3291/2000 in OP.NOs.44/96 to 48/96, Government has released an amount of Rs.1,21,38,105/- towards decretal charges vide G.O.RT.NO.507, Social Welfare (LA) Department, dated.31/8/2006. Hence, in the present case also the Lower Court has enhanced the compensation in OP.NOs.312 & 313/88 based on OP.NOs.44/96 to 48/96 only.
6. Government after careful examination of the above proposal, hereby accord sanction for an amount of **Rs.4,24,860/- (Rupees four lakhs twenty four thousand eight hundred and sixty only)** towards decretal charges in OP.NOs. 312 and 313/88 to comply with the orders of the Lower Court for the land acquired for an extent of Ac.2.98 cents in Kallur Mandal and Village at Kurnool District.

//2//

7. The expenditure sanctioned in para (6) above shall be debited to 2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) Acquisition of House sites to weaker sections under Indiramma Programme -310 –Grants-in-aid -312 - Other grants-in-aid from the available provision during Budget Estimates 2008-09.

8. The Commissioner of Social Welfare, Hyderabad, is requested to issue necessary proceedings to the District Collector, Kurnool, to comply with the orders of the Court.

9. The District Collector, Kurnool, is requested to verify the calculation sheet once again before depositing the amount in the Court and if any excess is found, he is authorized to reduce the sanctioned amount to the actual amount. He is further requested to obtain the Full Satisfaction Memo from the claimants in this case and send the compliance report.

10. This order issues with the concurrence of Finance (Expr-SW) Department, vide their U.O. No.233339/402/A1/Exp.SW/2008,Dated:29.10.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare,
A.P. Hyderabad.
The District Collector, Kurnool.
Copy to :
The Director of Treasuries and Accounts
Andhra Pradesh, Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Accountant General, A.P, Hyderabad.
The District Treasury Officer, Kurnool.
The Finance (Exp-S.W) / (BG) Department.
Sf/sc

//FORWARDED :: BY ORDER//

SECTION OFFICER